

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

★ MAR 4 - 2010 ★

BROOKLYN OFFICE

UNITED STATES OF AMERICA

CRIMINAL NO: 09-0650

VERSUS

JUDGE DONALD E. WALTER

FILED

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

HAROLD TURNER

★ MAR 4 - 2010 ★

ORDER

BROOKLYN OFFICE

Before the Court is a Motion to Dismiss the Indictment or in the Alternative Have
Government Prove "Incitement" under *Brandenburg*. [Doc. #49].

Upon due consideration, and for the reasons stated in the Court's previous ruling,
Defendant's motion is **DENIED**.

THUS DONE AND SIGNED, this 18 day of March, 2010.

/s/(DEW)

DONALD E. WALTER
UNITED STATES DISTRICT JUDGE